

# 25 years to life term for torture murderer

**By Sharon Lerman**

STAFF WRITER

OAKLAND — Although Samuel Lee Johnson's capital murder trial was set to begin last week, the Oakland man was instead sentenced Tuesday to 25 years to life in prison in a deal that sealed his recent guilty plea to a pair of grisly 1996 killings.

Alameda County Superior Court Judge Jeffrey Horner expressed satisfaction with the plea bargain as he handed down the sentence, saying it was in the best interest of Johnson as well as the victims' families. The 32-year-old killer has already served four years in jail awaiting trial.

On Dec. 20, Johnson, 32, pleaded guilty to two counts of first-degree murder in an 11th-hour deal with the District Attorney's Office, rather than take his chances with a jury.

"Anyone faced with the possibility of being executed is going to be worried about what the (trial) outcome would be," Assistant Public Defender James McWilliams said.

The special circumstances that made him eligible for the death penalty — murder for financial gain, lying in wait and committing multiple murders — were dismissed. Opening arguments in his trial were set to begin Jan. 3.

Johnson never publicly admitted to the July 1996 kidnap-

ping, torture and murder of Devon Chung, 30, and Chung's 18-year-old girlfriend, Traci Carter.

The couple's bodies were found in separate locations one day after they were kidnapped from Chung's Merritt Avenue apartment by four masked men.

Prosecutors alleged Johnson was a hired assassin who tortured and stabbed the couple on behalf of a marijuana dealer who considered Chung a rival. Johnson's attorneys maintain he was an accomplice to a planned robbery that got out of hand.

McWilliams said Johnson pleaded guilty out of fear of state law, which would allow a death sentence even if a jury found he aided the killers but did not commit the murders.

"Even if the jury had been convinced he was not an active participant at the moment of the crime . . . by California law, he still stands in the shoes of the (murderer)," McWilliams said.